

UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION

**IN RE: NEW ENGLAND COMPOUNDING PHARMACY, INC.,
PRODUCTS LIABILITY LITIGATION**

Stewart v. New England Compounding Center,
N.D. Alabama, C.A. No. 2:13-00875

)
)

MDL No. 2419

ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER

A conditional transfer order was filed in this action (*Stewart*) on June 17, 2013. Prior to expiration of the orders' 7-day stay of transmittal, plaintiff in *Stewart* filed a notice of opposition to the proposed transfer. Plaintiff subsequently failed to file the required motion and brief to vacate the conditional transfer order.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-13" filed on June 17, 2013, is LIFTED. The action is transferred to the District of Massachusetts for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable F. Dennis Saylor.¹

FOR THE PANEL:


Jeffrey N. Lüthi
Clerk of the Panel

¹ After the conditional transfer order was issued, the transferor court severed and remanded the claim against one defendant to state court, which leaves the New England Compounding Center as the sole named defendant in the action being transferred. *See Stewart*, C.A. No. 2:13-00875, mem.op. and order (N.D. Ala. July 1, 2013).